

AMENDED IN ASSEMBLY APRIL 10, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2042

Introduced by Assembly Member ~~Maldonado~~ *Briggs*

February 18, 2000

An act to amend, repeal, and add Section 4827 of the Business and Professions Code, relating to veterinary medicine.

LEGISLATIVE COUNSEL'S DIGEST

AB 2042, as amended, ~~Maldonado~~—*Briggs*. Veterinary medicine.

Existing law prohibits the practice of veterinary medicine without a license issued by the Veterinary Medical Board but provides that specified activities relating to the care of livestock and poultry and euthanasia of animals by animal control shelter and humane society personnel are not prohibited by this requirement or by other provisions of law that pertain to veterinary medicine. Under existing law, unless excepted from this requirement, it is a crime to practice veterinary medicine without a license and to violate other provisions of law pertaining to veterinary medicine.

This bill would authorize the practice of equine massage or equine sport massage, as defined, without a veterinary medicine license and would, under provisions operative January 1, 2002, require specified training and education to continue the practice. By imposing this requirement, this bill

would expand the scope of an existing crime and, thereby, would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4827 of the Business and
2 Professions Code is amended to read:

3 4827. Nothing in this chapter prohibits any person
4 from:

5 (a) Practicing veterinary medicine as a bona fide
6 owner of one's own animals. This exemption applies to the
7 following:

8 (1) The owner's bona fide employees.

9 (2) Any person assisting the owner, provided that the
10 practice is performed gratuitously.

11 (b) Lay testing of poultry by the whole blood
12 agglutination test. For purposes of this section, "poultry"
13 means flocks of avian species maintained for food
14 production, including, but not limited to, chickens,
15 turkeys, and exotic fowl.

16 (c) Making any determination as to the status of
17 pregnancy, sterility, or infertility upon livestock, equine,
18 or food animals at the time an animal is being
19 inseminated, providing no charge is made for this
20 determination.

21 (d) Administering sodium pentobarbital for
22 euthanasia of sick, injured, homeless, or unwanted
23 domestic pets or animals without the presence of a
24 veterinarian if the person is an employee of an animal
25 control shelter and its agencies or humane society and has
26 received proper training in the administration of sodium
27 pentobarbital for these purposes.

(e) Practicing equine massage or equine sport massage, which is the ~~therapeutic~~ application of massage to ~~a horse~~ *an equine* for the purpose of increasing circulation and range of motion, improving stamina and performance, relieving muscle spasms and tension, and enhancing muscle tone.

(f) This section shall become inoperative on January 1, 2002, unless a later enacted statute deletes or extends that date.

SEC. 2. Section 4827 is added to the Business and Professions Code, to read:

4827. Nothing in this chapter prohibits any person from:

(a) Practicing veterinary medicine as a bona fide owner of one's own animals. This exemption applies to the following:

(1) The owner's bona fide employees.

(2) Any person assisting the owner, provided that the practice is performed gratuitously.

(b) Lay testing of poultry by the whole blood agglutination test. For purposes of this section, "poultry" means flocks of avian species maintained for food production, including, but not limited to, chickens, turkeys, and exotic fowl.

(c) Making any determination as to the status of pregnancy, sterility, or infertility upon livestock, equine, or food animals at the time an animal is being inseminated, providing no charge is made for this determination.

(d) Administering sodium pentobarbital for euthanasia of sick, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian if the person is an employee of an animal control shelter and its agencies or humane society and has received proper training in the administration of sodium pentobarbital for these purposes.

(e) (1) Practicing equine massage or equine sport massage if he or she is a practitioner of equine massage or equine sport massage and meets all of the following criteria:

1 (A) Holds a valid certificate from a training program
2 that required a minimum of 250 hours of instruction in
3 equine massage or equine sport massage, 50 hours of
4 which were spent performing these techniques under
5 instructor ~~supervision~~ *guidance*.

6 (B) Completes biennially a minimum of ~~40~~ 20 hours of
7 continuing education in the area of equine massage or
8 equine sport massage.

9 (C) Registers with the Veterinary ~~Medicine~~ *Medical*
10 Board.

11 (2) Equine massage or equine sport massage is the
12 ~~therapeutic~~ application of massage to ~~a horse~~ *an equine*
13 for the purpose of increasing circulation and range of
14 motion, improving stamina and performance, relieving
15 muscle spasms and tension, and enhancing muscle tone.

16 (3) *The Veterinary Medical Board may adopt*
17 *standards and guidelines for equine massage and equine*
18 *sport massage practitioners that include provisions for*
19 *disciplinary measures and the revocation of a*
20 *practitioner's registration with the board.*

21 (f) This section shall become operative on January 1,
22 2002.

23 SEC. 3. No reimbursement is required by this act
24 pursuant to Section 6 of Article XIII B of the California
25 Constitution because the only costs that may be incurred
26 by a local agency or school district will be incurred
27 because this act creates a new crime or infraction,
28 eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section
30 17556 of the Government Code, or changes the definition
31 of a crime within the meaning of Section 6 of Article
32 XIII B of the California Constitution.